



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,441	08/16/2001	Sang Sun Lcc	HI-0042	1268
34610 7590 08/22/2007 KED & ASSOCIATES, LLP P.O. Box 221200 Chantilly, VA 20153-1200			EXAMINER NGUYEN BA, HOANG VU A	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 08/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

09/930,441

Applicant(s)

LEE, SANG SUN

Examiner

Hoang-Vu A. Nguyen-Ba

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 29, 2007 has been entered.
2. Claims 1-3, 5-13 and 15-19 are now pending. Claims 1, 8, 10, 11, 16 and 18 are independent claims.

### ***Response to Amendment***

3. Per Applicant's request, claims 1, 3, 5, 8, 10, 11, 15, 16 and 18 have been amended; claims 4 and 14 have been canceled and new claim 19 has been added.

### ***Response to Arguments***

4. Applicant's arguments filed concurrently with the RCE have been fully considered but are moot in view of the new ground(s) of rejection presented herein.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 7, 11, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. (“**Bayrakeri**”) in view of U.S. Patent No. 5,805,763 to **Lawler** further in view of U.S. Patent No. 6,018,372 to **Etheredge**, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. (“**Waterhouse**”) and further in view of U.S. Patent No. 5,880,720 to **Iwafune** et al. (“**Iwafune**”).

**Claim 1** (Currently Amended)

The combination Bayrakeri-Lawler-Etheredge-Waterhouse does not expressly shows manually entering, by the viewer, a viewer's ID number. However, in an analogous art, Iwafune shows a screen for prompting input of a personal ID on the television in FIG. 31 (see also 23:12-63) and shows that the ID can be transmitted together with response data to the response server (see at least 23:50-63).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate this feature of Iwafune in the combination Bayrakeri-Lawler-Etheredge-Waterhouse, as this would ensure in a sharing interactive television environment that the viewer is properly identified and authenticated so that the server can transmit proper customized settings to the identified viewer.

For the remaining features of Claim 1, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Claim 7**

The rejection of base claim is incorporated. For features recited in this claim, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Claim 11** (Currently amended)

The combination Bayrakeri-Lawler-Etheredge-Waterhouse does not expressly shows *the viewer's ID number being a specific number of the viewer that is input by a user.*

However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Etheredge-Waterhouse in view of Iwafune.

For the remaining features of Claim 11, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Claim 12**

The rejection of base claim is incorporated. For features recited in this claim, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Claim 19** (New)

The rejection of base claim is incorporated. The combination Bayrakeri-Lawler-Etheredge-Waterhouse does not expressly shows *wherein the viewer's ID number corresponds to a specific number of the viewer.* However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Etheredge-Waterhouse in view of Iwafune.

7. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("**Bayrakeri**") in view of U.S. Patent No. 5,805,763 to **Lawler** further in view of U.S. Patent No. 6,018,372 to **Etheredge**, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. ("**Waterhouse**") and further in view U.S. Patent No. 5,734,853 to Hendricks et al. ("**Hendricks**"),

further in view of U.S. Patent No. 6,101,180 to Donahue et al. ("**Donahue**") and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("**Iwafune**").

### Claims 2-3

The rejection of base claim is incorporated. For features claimed in claims 2-3, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("**Bayrakeri**") in view of U.S. Patent No. 5,805,763 to **Lawler** further in view of U.S. Patent No. 6,018,372 to **Etheredge**, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. ("**Waterhouse**"), further in view U.S. Patent No. 5,734,853 to Hendricks et al. ("**Hendricks**"), further in view of U.S. Patent No. 6,101,180 to Donahue et al. ("**Donahue**"), further in view of U.S. Patent No. 6,314,572 to LaRocca et al. ("**LaRocca**") and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("**Iwafune**").

### Claim 5 (Currently amended)

The rejection of base claim is incorporated. The combination Bayrakeri-Lawler-Etheredge-Waterhouse-Hendricks-Donahue-LaRocca does not expressly shows the viewer's ID number being a specific number of the viewer that is input by a user. However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Etheredge-Waterhouse-Hendricks-Donahue-LaRocca in view of Iwafune.

For the remaining features of Claim 5, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

9. Claims 4, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. (“**Bayrakeri**”) in view of U.S. Patent No. 5,805,763 to **Lawler** further in view of U.S. Patent No. 6,018,372 to **Etheredge**, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. (“**Waterhouse**”), further in view U.S. Patent No. 6,169,543 to Wehmeyer et al. (“**Wehmeyer**”) and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. (“**Iwafune**”).

**Claim 4** (canceled)

**Claim 14** (Canceled)

**Claim 16** (Currently amended)

The combination Bayrakeri-Lawler-Etheredge-Waterhouse-Wehmeyer does not expressly show the viewer's ID number being a specific number of the viewer that is input by a user. However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Etheredge-Waterhouse-Wehmeyer in view of Iwafune.

For the remaining features of Claim 16, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Claim 17**

The rejection of base claim is incorporated. For features recited in this claim, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("Bayrakeri") in view of U.S. Patent No. 5,805,763 to Lawler further in view of U.S. Patent No. 6,018,372 to Etheredge, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. ("Waterhouse"), further in view U.S. Patent No. 5,734,853 to Hendricks et al. ("Hendricks"), further in view of U.S. Patent No. 6,101,180 to Donahue et al. ("Donahue"), further in view of U.S. Patent No. 5,861,906 to Dunn et al. ("Dunn") and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("Iwafune").

#### **Claim 6**

The rejection of base claim is incorporated. For features recited in these claims, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("Bayrakeri") in view of U.S. Patent No. 5,805,763 to Lawler further in view of U.S. Patent No. 6,018,372 to Etheredge, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. ("Waterhouse"), further in view U.S. Patent No. 5,861,906 to Dunn et al. ("Dunn") and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("Iwafune").

#### **Claim 9**

The rejection of base claim is incorporated. For features recited in this claim, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.



12. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("**Bayrakeri**") in view of U.S. Patent No. 5,805,763 to **Lawler**, further in view of U.S. Patent No. 5,861,906 to **Dunn**, further in view of U.S. Patent No. 6,018,372 to **Etheredge**, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al ("**Waterhouse**") and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("**Iwafune**").

**Claim 8** (Currently amended)

The combination Bayrakeri-Lawler-Dunn-Etheredge-Waterhouse does not expressly show the viewer's ID number corresponding to a specific number of a viewer that is input by a user.

However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Dunn-Etheredge-Waterhouse in view of Iwafune.

For the remaining features of Claim 8, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Claim 10** (Currently amended)

The combination Bayrakeri-Lawler-Dunn-Etheredge-Waterhouse does not expressly show manually entering, by the viewer, a viewer's ID number that corresponds to a specific number of the viewer. However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Dunn-Etheredge-Waterhouse in view of Iwafune.

For the remaining features of Claim 10, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

13. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("Bayrakeri") in view of U.S. Patent No. 5,805,763 to Lawler further in view of U.S. Patent No. 6,018,372 to Etheredge, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al. ("Waterhouse"), further in view U.S. Patent No. 5,734,853 to Hendricks et al. ("Hendricks") and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("Iwafune").

### **Claim 13**

The rejection of base claim is incorporated. For features recited in these claims, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

14. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("Bayrakeri") in view of U.S. Patent No. 5,805,763 to Lawler, further in view of U.S. Patent No. 6,018,372 to Etheredge, further in view of U.S. Patent No. 5,831,663 to Waterhouse et al ("Waterhouse"), further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("Iwafune", further in view of U.S. Patent No. 5,861,906 to Dunn, further in view of U.S. Patent No. 6,314,572 to LaRocca et al. ("LaRocca").

### **Claim 15**

The rejection of base claim is incorporated. For features recited in this claim, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

15. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,904,610 to Bayrakeri et al. ("**Bayrakeri**") in view of U.S. Patent No. 5,805,763 to **Lawler**, further in view of U.S. Patent No. 5,861,906 to **Dunn**, further in view of U.S. Patent No. 6,018,372 to **Etheredge** and further in view of U.S. Patent No. 5,880,720 to Iwafune et al. ("Iwafune").

**Claim 18** (Currently amended)

The combination Bayrakeri-Lawler-Dunn-Etheredge does not expressly shows the viewer's ID number being a specific number of the viewer that is input by a user. However, for reasons set forth in amended claim 1, this feature is unpatentable over the combination Bayrakeri-Lawler-Dunn-Etheredge in view of Iwafune.

For the remaining features of Claim 18, see Office actions dated July 13, 2006, January 26, 2007 and the Advisory action dated May 15, 2007.

**Conclusion**

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

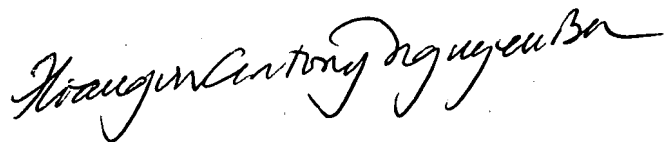
17. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hoang-Vu A. Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday - Friday from 7:00 – 17:30.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, John Miller can be reached at (571) 272-7353.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2600 Group receptionist: 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Anthony Nguyen-Ba". The signature is fluid and cursive, with the first name "Anthony" and last name "Nguyen-Ba" clearly distinguishable.

ANTHONY NGUYEN-BA  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 2100

August 18, 2007